

108TH CONGRESS  
2D SESSION

# S. 2272

To amend title XIX of the Social Security Act to expand the pediatric vaccine distribution program to include coverage for children administered a vaccine at a public health clinic or Indian clinic, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 1, 2004

Mr. BINGAMAN (for himself and Mr. SMITH) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XIX of the Social Security Act to expand the pediatric vaccine distribution program to include coverage for children administered a vaccine at a public health clinic or Indian clinic, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Children’s Vaccine Ac-  
5       cess Act of 2004”.

1 **SEC. 2. EXPANSION OF DEFINITION OF FEDERALLY VAC-**  
 2 **CINE-ELIGIBLE CHILD.**

3 (a) IN GENERAL.—Section 1928(b)(2)(A)(iii)(I) of  
 4 the Social Security Act (42 U.S.C. 1396s(b)(2)(A)(iii)(I))  
 5 is amended by striking “or a rural health clinic (as defined  
 6 in section 1905(l)(1))” and inserting “, a rural health clin-  
 7 ic (as defined in section 1905(l)(1)), or a State or local  
 8 public health clinic”.

9 (b) CONFORMING AMENDMENT.—Section 1928(h)(3)  
 10 of the Social Security Act (42 U.S.C. 1396s(h)(3)) is  
 11 amended by striking “and ‘tribal organization’” and in-  
 12 serting “, ‘tribal organization’, and ‘urban Indian organi-  
 13 zation’”.

14 **SEC. 3. REPEAL OF PRICE CAP FOR PRE-1993 VACCINES.**

15 (a) IN GENERAL.—Section 1928(d)(3)(B) of the So-  
 16 cial Security Act (42 U.S.C. 1396s(d)(3)(B)) is repealed.

17 (b) CONFORMING AMENDMENT.—Section 1928(d)(3)  
 18 of such Act (42 U.S.C. 1396s(d)(3)) is amended by strik-  
 19 ing subparagraph (C) and inserting the following:

20 “(B) NEGOTIATION OF DISCOUNTED  
 21 PRICE.—With respect to contracts entered into  
 22 for a pediatric vaccine described in this section,  
 23 the price for the purchase of such vaccine shall  
 24 be a discounted price negotiated by the Sec-  
 25 retary.”.

1 **SEC. 4. SIMPLIFIED ADMINISTRATION OF VACCINE SUPPLY.**

2       Section 1928(d)(6) of the Social Security Act (42  
3 U.S.C. 1396s(d)(6)) is amended by inserting after the sec-  
4 ond sentence the following: “The Secretary may sell such  
5 quantities of vaccines from such supply to public health  
6 departments or back to the vaccine manufacturer as the  
7 Secretary determines appropriate. Proceeds received from  
8 such sales shall be available to the Secretary only for the  
9 purpose of procuring pediatric vaccines stockpiles under  
10 this section and shall remain available until expended.”.

11 **SEC. 5. EFFECTIVE DATE.**

12       The amendments made by this Act take effect on Oc-  
13 tober 1, 2004.

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